

**U.S. Bankruptcy Court  
Western District of Washington (Seattle)  
Adversary Proceeding #: 15-01313-CMA**

*Assigned to:* Christopher M Alston

*Date Filed:* 09/03/15

*Lead BK Case:* 15-13118

*Lead BK Title:* Marisol Sanchez

*Lead BK Chapter:* 7

*Demand:*

*Nature[s] of Suit:*

- 21 Validity, priority or extent of lien or other interest in property
- 02 Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy)
- 91 Declaratory judgment

***Plaintiff***

---

**Pedro Enrique Iraheta**  
c/o Barraza Law PLLC  
14245-F Ambaum Blvd SW  
Burien, WA 98166

represented by **Vicente O Barraza**  
Barraza Law PLLC  
14245F Ambaum Blvd SW  
Burien, WA 98166  
206-933-7861  
Fax : 206-933-7863  
Email: [omar@barrazalaw.com](mailto:omar@barrazalaw.com)

V.

***Defendant***

---

**Marisol Sanchez**  
20004 Wallinford Ave N  
Shoreline, WA 98133  
SSN / ITIN: xxx-xx-0627

represented by **Christina L Henry**  
Henry, DeGraaff & McCormick, PS  
1833 N 105th St, Ste 203  
Seattle, WA 98133  
206-330-0595  
Email: [mainline@hdm-legal.com](mailto:mainline@hdm-legal.com)

***Defendant***

---

**JP Morgan Chase Bank NA**  
TERMINATED: 04/04/2016

represented by **Matthew R Cleverley**  
Fidelity National Law Group  
Columbia Center  
701 Fifth Avenue, Suite 2710  
Seattle, WA 98104  
206-224-6003  
Fax : 877-655-5281  
Email: [matthew.cleverley@fnf.com](mailto:matthew.cleverley@fnf.com)  
TERMINATED: 04/04/2016

**Hugh R. McCullough**  
Davis Wright Tremaine LLP  
1201 3rd Ave Ste 2200

Seattle, WA 98101-3045  
206-757-8189  
Email: [hughmccullough@dwt.com](mailto:hughmccullough@dwt.com)  
TERMINATED: 04/04/2016

**Anthony S Wisen**  
Davis Wright Tremaine LLP  
1201 3rd Ave Ste 2200  
Seattle, WA 98101-3045  
206-757-8198  
Email: [anthonywisen@dwt.com](mailto:anthonywisen@dwt.com)  
TERMINATED: 04/04/2016

*Defendant*

**Edmund J Wood, Trustee**

represented by **David A Gebben**  
Attorney at Law  
1700 7th Ave Ste 2100  
Seattle, WA 98101  
206-357-8456  
Email: [david.gebben@gmail.com](mailto:david.gebben@gmail.com)

*Counter-Claimant*

**Edmund J Wood, Trustee**

represented by **David A Gebben**  
(See above for address)

V.

*Counter Defendant*

**Pedro Enrique Iraheta**  
c/o Barraza Law PLLC  
14245-F Ambaum Blvd SW  
Burien, WA 98166

represented by **Vicente O Barraza**  
(See above for address)

Filing Date	#	Docket Text
09/03/2015	1	Adversary case 15-01313. Complaint by Pedro Enrique Iraheta (attorney Vicente O Barraza) against Marisol Sanchez, Edmund J Wood, JPMorgan Chase Bank N.A. . . (Attachments: # 1 Exhibit # 2 Exhibit) Nature of Suit: (21 (Validity, priority or extent of lien or other interest in property)), (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (91 (Declaratory judgment)) (Barraza, Vicente) (Entered: 09/03/2015 at 16:29:33)
09/03/2015		Receipt of filing fee for Complaint(15-01313-CMA) [cmp,cmp] (350.00). Receipt number 21340562. Fee amount \$ 350.00. (U.S. Treasury) (Entered: 09/03/2015 at 16:30:30)
09/04/2015	2	Summons and Notice of Pretrial Conference (Summons issued electronically via the Court's ECF System to Plaintiff's attorney) to be served on JP Morgan Chase Bank NA Answer Due 10/5/2015; Marisol Sanchez Answer Due 10/5/2015; Edmund J Wood Answer Due 10/5/2015 . Pretrial scheduled for 10/23/2015 at 09:00 AM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. (EA) (Entered: 09/04/2015 at 16:30:30)

			15:40:15)
09/08/2015		<u>3</u>	Proof of Service . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <u>1</u> Complaint). (Barraza, Vicente) (Entered: 09/08/2015 at 19:00:35)
09/25/2015		<u>4</u>	Notice of Appearance . Filed by Hugh R. McCullough on behalf of JP Morgan Chase Bank NA. (McCullough, Hugh) (Entered: 09/25/2015 at 11:10:07)
09/25/2015		<u>5</u>	Statement <i>Regarding Corporate Disclosure</i> . Proof of Service. Filed by Hugh R. McCullough on behalf of JP Morgan Chase Bank NA. (McCullough, Hugh) (Entered: 09/25/2015 at 11:29:22)
09/25/2015		<u>6</u>	Notice of Appearance . Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Wisen, Anthony) (Entered: 09/25/2015 at 11:32:25)
09/28/2015		<u>7</u>	Mediation Certification Filed by Barraza, Vicente (Entered: 09/28/2015 at 15:28:47)
09/30/2015		<u>8</u>	Trustee's Answer to Complaint <i>To Reform Deed of Trust And Quit Claim Deed, And</i> , Trustee's Counterclaim by Edmund J Wood against Pedro Enrique Iraheta <i>To Avoid An Alleged Interest In Real Property..</i> Filed by David A Gebben on behalf of Edmund J Wood. (Gebben, David) (Entered: 09/30/2015 at 15:40:24)
10/01/2015		<u>9</u>	Mediation Certification Filed by Gebben, David (Entered: 10/01/2015 at 14:32:48)
10/23/2015		<u>10</u>	Notice Regarding Final Adjudication and Consent . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 10/23/2015 at 11:21:03)
10/23/2015			Minutes. Hearing Held. Appearances: David Gebben, Vincente Barraza, Hugh McCullough, Scheduling order setting trial date to be issued by chambers. (related document(s): <u>2</u> Summons and Pretrial Conference (Seattle)) Trial is scheduled for 05/24/2016 at 09:30 AM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. (MJB ) (Entered: 11/06/2015 at 09:46:45)
10/26/2015		<u>11</u>	Answer to Counterclaim (Related document(s) <u>8</u> Answer to Complaint, Counterclaim). Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 10/26/2015 at 13:09:26)
10/26/2015		<u>12</u>	Proof of Service . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <u>11</u> Answer to Counterclaim). (Barraza, Vicente) (Entered: 10/26/2015 at 13:12:17)
10/28/2015		<u>13</u>	Mediation Certification Filed by Wisen, Anthony (Entered: 10/28/2015 at 14:28:41)
10/29/2015		<u>14</u>	Stipulation by and between <i>Plaintiff and JPMorgan Chase Bank, N.A..</i> Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Related document(s) <u>1</u> Complaint). (Wisen, Anthony) (Entered: 10/29/2015 at 12:00:45)
10/29/2015		<u>15</u>	

			Received UNSIGNED Order Forwarded to Chambers for Judge's Signature. Filed by Wisen, Anthony. Related document <a href="#">14</a> (Entered: 10/29/2015 at 12:23:03)
10/30/2015		<a href="#">16</a>	Stipulation for ORDER Extending Time for JP Morgan Chase Bank NA to Answer Plaintiff's Complaint (Extended to December 4, 2015) (Related document(s) <a href="#">14</a> Stipulation). (SYL) (Entered: 10/30/2015 at 15:11:55)
11/18/2015		<a href="#">17</a>	Trustee's Report RE: <i>Consent To Final Adjudication..</i> Filed by David A Gebben on behalf of Edmund J Wood. (Gebben, David) (Entered: 11/18/2015 at 13:43:56)
11/23/2015		<a href="#">18</a>	Notice of Trial and ORDER Setting Deadlines . (SYL) (Entered: 11/23/2015 at 12:07:34)
11/23/2015		<a href="#">19</a>	Withdrawal and Substitution of Attorney. Involvement of Hugh R. McCullough and Anthony S Wisen Terminated.. Filed by Matthew R Cleverley on behalf of JP Morgan Chase Bank NA. (Cleverley, Matthew) (Entered: 11/23/2015 at 16:29:00)
11/23/2015		<a href="#">20</a>	Answer to Complaint <i>to Reform Deed of Trust and Quit Claim Deed and for Declaratory Judgment.</i> Filed by Matthew R Cleverley on behalf of JP Morgan Chase Bank NA. (Cleverley, Matthew) (Entered: 11/23/2015 at 16:45:23)
11/23/2015		<a href="#">21</a>	Motion <i>for Judgment on the Pleadings</i> with Notice of Hearing. Filed by Matthew R Cleverley on behalf of JP Morgan Chase Bank NA The Hearing date is set for 1/14/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. Response due by 1/7/2016. (Attachments: # <a href="#">1</a> [Proposed] Judgment) (Cleverley, Matthew) (Entered: 11/23/2015 at 17:00:40)
11/23/2015		<a href="#">22</a>	Defendant's Notice of Hearing <i>for Thurs., Jan-14, 2016, at 1:30 p.m.</i> (Related document(s) <a href="#">21</a> Motion <i>for Judgment on the Pleadings</i> ). Filed by Matthew R Cleverley on behalf of JP Morgan Chase Bank NA. (Cleverley, Matthew) (Entered: 11/23/2015 at 17:06:52)
11/25/2015		<a href="#">23</a>	BNC Certificate of Notice (Related document(s) <a href="#">18</a> Notice of Trial and Order Setting Deadlines). Notice Date 11/25/2015. (Admin.) (Entered: 11/25/2015 at 21:32:50)
12/09/2015		<a href="#">24</a>	Amend Complaint. <i>Defendant not added.</i> Defendants not added. Amending: <i>Add causes of action against JPMorgan Chase Bank NA and clarify causes of action against other parties.</i> (Related document(s) <a href="#">1</a> Complaint, <a href="#">8</a> Answer to Complaint, Counterclaim)... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Attachments: # <a href="#">1</a> Exhibit Comparison of First and Amended Complaint) (Barraza, Vicente) (Entered: 12/09/2015 at 19:12:26)
12/14/2015		<a href="#">25</a>	Proof of Service <i>of Amended Complaint.</i> Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente). Related document(s) <a href="#">24</a> Amend Complaint filed by Counter Defendant Pedro Enrique Iraheta, Plaintiff Pedro Enrique Iraheta. Modified on 12/15/2015; added link (Brazil, Victoria). (Entered: 12/14/2015 at 19:29:34)
12/16/2015		<a href="#">26</a>	Response to <i>Chase's Motion for Judgment on the Pleadings</i> (Related document(s) <a href="#">21</a> Motion). Proof of Service. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 12/16/2015

			at 13:44:41)
12/22/2015		<u>27</u>	Notice of Appearance for <i>Defendant Marisol Sanchez</i> . Filed by Christina L Henry on behalf of Marisol Sanchez. (Henry, Christina) (Entered: 12/22/2015 at 13:11:33)
12/28/2015		<u>28</u>	Notice of Appearance . Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Wisen, Anthony) (Entered: 12/28/2015 at 08:14:21)
12/28/2015		<u>29</u>	Notice of Appearance . Filed by Hugh R. McCullough on behalf of JP Morgan Chase Bank NA. (McCullough, Hugh) (Entered: 12/28/2015 at 08:15:42)
12/28/2015		<u>30</u>	DOCKETED IN ERROR. WRONG EVENT DOCKETED. ATTORNEY CALLED Amend Complaint. <i>Defendant not added</i> . Defendants not added. Amending: <i>Motion to Amend to Add Causes of Action Against JPMorgan Chase Bank, NA</i> . (Related document(s) <u>1</u> Complaint). Proof of Service. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Attachments: # <u>1</u> Notice of Hearing # <u>2</u> Proposed Order # <u>3</u> Proof of Service) (Barraza, Vicente) Modified on 12/29/2015 (Luu, Suying). (Entered: 12/28/2015 at 08:26:06)
12/28/2015		<u>31</u>	Answer to Amended Complaint to <i>Reform Deed of Trust and Quit Claim Deed and for Declaratory Judgment</i> (Related document(s) <u>24</u> Amend Complaint). Proof of Service. Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Wisen, Anthony) (Entered: 12/28/2015 at 08:33:13)
12/29/2015		<u>32</u>	Motion <i>Motion for Leave of Court to Amend Complaint</i> with Notice of Hearing. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. The Hearing date is set for 1/28/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. Response due by 1/21/2016. (Attachments: # <u>1</u> Notice of Hearing # <u>2</u> Proposed Order # <u>3</u> Proof of Service) (Barraza, Vicente) (Entered: 12/29/2015 at 11:32:35)
01/08/2016			Notice to Court Agreement Reached, Agreed Order to be Submitted on Date of Hearing: 1/14/2016. Filed by Matthew R Cleverley on behalf of JP Morgan Chase Bank NA. (Related document(s) <u>21</u> Motion, <u>22</u> Hearing Notice). (Cleverley, Matthew) (Entered: 01/08/2016 at 10:09:22)
01/08/2016		<u>33</u>	Received UNSIGNED Order Forwarded to Chambers for Judge's Signature. Filed by Cleverley, Matthew. Related document <u>21</u> (Entered: 01/08/2016 at 11:49:07)
01/11/2016		<u>34</u>	JUDGMENT (Related document(s) <u>21</u> Motion). (JCF) (Entered: 01/11/2016 at 16:19:01)
01/18/2016		<u>35</u>	Stipulation by and between <i>Plaintiff Pedro Iraheta and Defendant Marisol Sanchez</i> . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Attachments: # <u>1</u> Proposed Order) (Barraza, Vicente) (Entered: 01/18/2016 at 21:01:21)
01/18/2016		<u>36</u>	Received UNSIGNED Order Forwarded to Chambers for Judge's Signature. Filed by Barraza, Vicente. Related document <u>35</u> (Entered: 01/18/2016 at 22:04:01)
01/20/2016		<u>37</u>	Submitted But Not Entered (Related document(s) <u>35</u> Stipulation). (SYL) (Entered: 01/20/2016 at 10:03:11)

01/22/2016		<u>38</u>	Declaration of No Objection <i>Plaintiff Iraheta</i> . The Filer represents to the Court, under penalty of perjury, that Notice of the Motion linked to this entry was served on 12/28/2015 in accordance with the proof of service filed herein and that no objection to that Motion has been filed in the Office of the Clerk or received by the Filer. (Related document(s) <u>32</u> Motion)... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 01/22/2016 at 12:24:37)
01/22/2016		<u>39</u>	Received UNSIGNED Order Forwarded to Chambers for Judge's Signature. Filed by Barraza, Vicente. Related document 38 (Entered: 01/22/2016 at 13:24:27)
01/25/2016		<u>40</u>	ORDER Granting Plaintiff's Motion for Leave to Amend Complaint (Related Doc # <u>32</u> ) . (VAB) (Entered: 01/25/2016 at 13:44:05)
02/08/2016		<u>41</u>	Motion to Withdraw as Attorney Filed by Matthew R Cleverley on behalf of JP Morgan Chase Bank NA (Cleverley, Matthew) (Entered: 02/08/2016 at 15:11:17)
02/18/2016		<u>42</u>	Motion <i>Judgment on the Pleadings (FRCP 12(c))</i> with Notice of Hearing. Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA The Hearing date is set for 3/10/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. Response due by 3/3/2016. (Attachments: # <u>1</u> Proposed Order) (Wisen, Anthony) (Entered: 02/18/2016 at 12:29:06)
02/18/2016		<u>43</u>	Notice of Hearing (Related document(s) <u>42</u> Motion <i>Judgment on the Pleadings (FRCP 12(c))</i> ). Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Wisen, Anthony) (Entered: 02/18/2016 at 12:30:30)
02/18/2016		<u>44</u>	Proof of Service . Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Related document(s) <u>42</u> Motion, <u>43</u> Hearing Notice). (Wisen, Anthony) (Entered: 02/18/2016 at 12:32:55)
02/19/2016		<u>45</u>	Trustee's Motion for Summary Judgment <i>on Trustee's Claim To Avoid Plaintiff's Alleged Interest In Real Property</i> with Notice of Hearing. Filed by David A Gebben on behalf of Edmund J Wood The Hearing date is set for 3/24/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. Response due by 3/17/2016. (Attachments: # <u>1</u> Proposed Order) (Gebben, David) (Entered: 02/19/2016 at 11:50:44)
02/19/2016		<u>46</u>	Declaration of Edmund J. Wood, Trustee In Support Of His Motion For Summary Judgment (Related document(s) <u>45</u> Motion for Summary Judgment)... Filed by David A Gebben on behalf of Edmund J Wood. (Attachments: # <u>1</u> Exhibit 1 – Quit Claim Deed # <u>2</u> Exhibit 2 – Title Report) (Gebben, David) (Entered: 02/19/2016 at 11:54:26)
02/19/2016		<u>47</u>	Notice of Hearing <i>on Trustee's Motion For Summary Judgment</i> (Related document(s) <u>45</u> Trustee's Motion for Summary Judgment <i>on Trustee's Claim To Avoid Plaintiff's Alleged Interest In Real Property</i> ). Filed by David A Gebben on behalf of Edmund J Wood. (Gebben, David) (Entered: 02/19/2016 at 11:56:19)
02/19/2016		<u>48</u>	Proof of Service <i>on Trustee's Motion For Summary Judgment</i> . Filed by David A Gebben on behalf of Edmund J Wood. (Related document(s) <u>45</u> Motion for Summary Judgment). (Gebben, David) (Entered: 02/19/2016 at 11:57:51)

02/19/2016		<u>49</u>	Motion <i>Motion for Order Approving Stipulation of Pedro Iraheta and Marisol Sanchez</i> with Notice of Hearing. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta The Hearing date is set for 3/24/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. Response due by 3/17/2016. (Attachments: # <u>1</u> Exhibit Stipulation # <u>2</u> Proposed Order # <u>3</u> Proof of Service) (Barraza, Vicente) (Entered: 02/19/2016 at 14:16:42)
02/19/2016		<u>50</u>	Notice of Hearing ( <i>Related document(s)</i> <u>49</u> <i>Motion Motion for Order Approving Stipulation of Pedro Iraheta and Marisol Sanchez</i> ). Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 02/19/2016 at 14:17:12)
02/21/2016		<u>51</u>	Motion for Summary Judgment with Notice of Hearing. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta The Hearing date is set for 3/24/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. Response due by 3/17/2016. (Attachments: # <u>1</u> Exhibit Exhibits A – I # <u>2</u> Exhibit Exhibits J – End # <u>3</u> Proposed Order) (Barraza, Vicente) (Entered: 02/21/2016 at 23:26:51)
02/21/2016		<u>52</u>	Notice of Hearing ( <i>Related document(s)</i> <u>51</u> <i>Motion for Summary Judgment</i> ). Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 02/21/2016 at 23:27:31)
02/21/2016		<u>53</u>	Declaration of <i>Pedro E. Iraheta</i> ( <i>Related document(s)</i> <u>51</u> <i>Motion for Summary Judgment</i> )... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 02/21/2016 at 23:28:25)
02/22/2016		<u>54</u>	Amended Motion for Summary Judgment with Notice of Hearing. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta The Hearing date is set for 3/24/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. Response due by 3/17/2016. (Attachments: # <u>1</u> Proposed Order) (Barraza, Vicente) (Entered: 02/22/2016 at 19:21:22)
02/22/2016		<u>55</u>	Notice of Hearing on <i>Amended Motion for Summary Judgment</i> ( <i>Related document(s)</i> <u>51</u> <i>Motion for Summary Judgment</i> , <u>54</u> <i>Amended Motion for Summary Judgment</i> ). Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 02/22/2016 at 19:22:15)
02/22/2016		<u>56</u>	Amended Declaration on <i>Amended Motion for Summary Judgment</i> ( <i>Related document(s)</i> <u>51</u> <i>Motion for Summary Judgment</i> , <u>54</u> <i>Motion for Summary Judgment</i> )... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Attachments: # <u>1</u> Exhibit A – J # <u>2</u> Exhibit J – O) (Barraza, Vicente) (Entered: 02/22/2016 at 19:23:43)
02/23/2016		<u>57</u>	Supplemental Declaration of <i>Pedro E. Iraheta With Signature</i> ( <i>Related document(s)</i> <u>51</u> <i>Motion for Summary Judgment</i> , <u>54</u> <i>Motion for Summary Judgment</i> )... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 02/23/2016 at 09:40:56)
02/23/2016		<u>58</u>	Proof of Service . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. ( <i>Related document(s)</i> <u>51</u> <i>Motion for Summary Judgment</i> , <u>54</u> <i>Motion for Summary Judgment</i> ). (Barraza, Vicente) (Entered: 02/23/2016 at 09:42:43)
03/03/2016		<u>59</u>	Response to ( <i>Related document(s)</i> <u>42</u> <i>Motion</i> ). Proof of Service. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 03/03/2016 at 16:30:27)

03/04/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/10/2016. Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Related document(s) <a href="#">42</a> Motion, <a href="#">43</a> Hearing Notice). (Wisen, Anthony) (Entered: 03/04/2016 at 07:36:02)
03/04/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/10/2016. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <a href="#">42</a> Motion, <a href="#">59</a> Response, Notice to Court of Intent to Argue). (Barraza, Vicente) (Entered: 03/04/2016 at 15:36:57)
03/07/2016		<a href="#">60</a>	Reply in Support of JPMorgan Chase Bank N.A.'s Motion for Judgment on the Pleadings (FRCP 12(c)) (Related document(s) <a href="#">42</a> Motion, <a href="#">59</a> Response)... Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Wisen, Anthony) (Entered: 03/07/2016 at 15:21:21)
03/07/2016		<a href="#">61</a>	Proof of Service . Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Related document(s) <a href="#">60</a> Reply). (Wisen, Anthony) (Entered: 03/07/2016 at 15:24:56)
03/09/2016			Notice to Court Requesting Continuance of Hearing on Motion – from: Date of Hearing: 3/10/2016 at 1:30 pm. to: 3/24/2016 at 1:30 pm. Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Related document(s) <a href="#">42</a> Motion). (Wisen, Anthony) (Entered: 03/09/2016 at 08:58:23)
03/10/2016			Minutes. Hearing Not Held. Matter continued. (related document(s): <a href="#">42</a> Motion filed by JP Morgan Chase Bank NA) Continued Hearing scheduled for 03/24/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. (MJB ) (Entered: 03/10/2016 at 09:50:42)
03/10/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/24/2016. Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Related document(s) <a href="#">42</a> Motion, <a href="#">59</a> Response, Minutes Hearing Held). (Wisen, Anthony) (Entered: 03/10/2016 at 11:53:34)
03/10/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/24/2016. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <a href="#">42</a> Motion, <a href="#">59</a> Response, <a href="#">60</a> Reply, Notice to Court of Motion to be Continued, Notice to Court of Intent to Argue). (Barraza, Vicente) (Entered: 03/10/2016 at 17:05:43)
03/17/2016		<a href="#">62</a>	Trustee's Response to <i>Pedro Iraheta's Motion For Partial Summary Judgment</i> (Related document(s) <a href="#">54</a> Motion for Summary Judgment)... Filed by David A Gebben on behalf of Edmund J Wood. (Gebben, David) (Entered: 03/17/2016 at 10:56:01)
03/17/2016		<a href="#">63</a>	Trustee's Response to <i>Mr. Iraheta's Motion For An Order Approving A Stipulation</i> (Related document(s) <a href="#">49</a> Motion)... Filed by David A Gebben on behalf of Edmund J Wood. (Gebben, David) (Entered: 03/17/2016 at 10:59:19)
03/17/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/24/2016. Filed by David A Gebben on behalf of Edmund J Wood. (Related document(s) <a href="#">54</a> Motion for Summary Judgment). (Gebben, David) (Entered: 03/17/2016 at 11:01:09)
03/17/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/24/2016. Filed by David A Gebben on behalf of Edmund J Wood. (Related document(s) <a href="#">49</a>

			Motion). (Gebben, David) (Entered: 03/17/2016 at 11:02:52)
03/17/2016		<u>64</u>	Response to <i>Trustee's Motion for Summary Judgment</i> (Related document(s) <u>45</u> Motion for Summary Judgment)... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 03/17/2016 at 15:43:13)
03/17/2016		<u>65</u>	Declaration of <i>Marisol Sanchez in Opposition to Trustee's Motion for Summary Judgment</i> (Related document(s) <u>45</u> Motion for Summary Judgment)... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 03/17/2016 at 15:44:23)
03/17/2016		<u>66</u>	Declaration of <i>Pedro Iraheta in Opposition to Trustee's Motion for Summary Judgment</i> (Related document(s) <u>45</u> Motion for Summary Judgment)... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 03/17/2016 at 15:45:26)
03/17/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/24/2016. Filed by David A Gebben on behalf of Edmund J Wood. (Related document(s) <u>45</u> Motion for Summary Judgment). (Gebben, David) (Entered: 03/17/2016 at 16:39:02)
03/17/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/24/2016. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <u>42</u> Motion, <u>45</u> Motion for Summary Judgment, <u>49</u> Motion, <u>54</u> Motion for Summary Judgment, <u>60</u> Reply, <u>63</u> Response, <u>64</u> Response, Notice to Court of Intent to Argue). (Barraza, Vicente) (Entered: 03/17/2016 at 17:03:43)
03/21/2016		<u>67</u>	Trustee's Reply To <i>Pedro Iraheta's Response To Trustee's Motion For Summary Judgment</i> (Related document(s) <u>45</u> Motion for Summary Judgment)... Filed by David A Gebben on behalf of Edmund J Wood. (Gebben, David) (Entered: 03/21/2016 at 12:10:30)
03/21/2016		<u>68</u>	Reply (Related document(s) <u>51</u> Motion for Summary Judgment, <u>54</u> Motion for Summary Judgment)... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 03/21/2016 at 21:24:42)
03/21/2016		<u>69</u>	Declaration of <i>Pedro Iraheta</i> (Related document(s) <u>51</u> Motion for Summary Judgment, <u>54</u> Motion for Summary Judgment)... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 03/21/2016 at 21:25:32)
03/22/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/24/2016. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <u>49</u> Motion). (Barraza, Vicente) (Entered: 03/22/2016 at 09:23:56)
03/28/2016		<u>70</u>	Received UNSIGNED Order Forwarded to Chambers for Judge's Signature. Filed by Gebben, David. Related document <u>45</u> (Entered: 03/28/2016 at 11:23:04)
03/28/2016		<u>71</u>	Received UNSIGNED Order Forwarded to Chambers for Judge's Signature. Filed by Wisen, Anthony. Related document <u>42</u> (Entered: 03/28/2016 at 14:31:24)
03/29/2016		<u>72</u>	Submitted But Not Entered (Related document(s) <u>42</u> Motion). (SYL) (Entered: 03/29/2016 at 10:19:59)

03/31/2016		<u>73</u>	Order of Summary JUDGMENT in Favor of the Trustee, as Cross–Claimant and Against Plaintiff. (Related document(s) <u>45</u> Motion for Summary Judgment, <u>49</u> Motion, <u>51</u> Motion for Summary Judgment, <u>54</u> Motion for Summary Judgment). Case Can Close: 4/21/2016. (SLA) (Entered: 03/31/2016 at 08:39:41)
04/01/2016		<u>74</u>	Received UNSIGNED Order Forwarded to Chambers for Judge's Signature. Filed by Wisen, Anthony. Related document <u>42</u> (Entered: 04/01/2016 at 08:53:02)
04/04/2016		<u>75</u>	ORDER Dismissing Claims Against JPMorgan Chase Bank NA (Related Doc # <u>42</u> ) . (VAB) (Entered: 04/04/2016 at 09:39:31)
04/08/2016		<u>76</u>	Notice of Appeal and Statement of Election to District Court. Re: BK Internal Appeal No: 16–S005, Bankruptcy Case #15–13118, USDC Appeal #2:16–cv–515 Fee Due \$ 298 (Related document(s) <u>73</u> Judgment, <u>75</u> Order Re Motion to). Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. Record Transmission due by 05/6/2016, (Barraza, Vicente) Modified on 4/11/2016 (Fortmann, Janet). (Entered: 04/08/2016 at 12:09:36)
04/08/2016			Receipt of filing fee for Notice of Appeal and Statement of Election(15–01313–CMA) [appeal,ntcaple] ( 298.00). Receipt number 22149729. Fee amount \$ 298.00. (U.S. Treasury) (Entered: 04/08/2016 at 12:11:01)
04/08/2016			Audio CD Request. Hearing Date and Time: 03/24/16 at 1:30. Other Info: Please mail CD to Ahearn & Associates, Inc. (Maple Valley address).. Requested by: Vicente Omar Barraza, representing Pedro Iraheta. Expected Filing Date of Transcript No later than 5/9/16. . Request for Production of Transcript on Appeal due by 05/9/2016, (Transcriber – Wheeler, Shari) (Entered: 04/08/2016 at 12:32:38)
04/08/2016		<u>77</u>	Amendment to <i>Appeal</i> . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente). Related document(s) <u>76</u> Notice of Appeal and Statement of Election filed by Counter Defendant Pedro Enrique Iraheta, Plaintiff Pedro Enrique Iraheta. Modified on 4/8/2016 to link to appeal (Fortmann, Janet). (Entered: 04/08/2016 at 12:52:04)
04/08/2016		<u>78</u>	Notice of Appeal and Statement of Election to District Court. Re: BK Internal Appeal No: 15–13118. Fee Due \$ 298 (Related document(s) <u>75</u> Order Re Motion to). Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. Record Transmission due by 05/6/2016, (Barraza, Vicente) (Entered: 04/08/2016 at 12:55:32)
04/08/2016			Receipt of filing fee for Notice of Appeal and Statement of Election(15–01313–CMA) [appeal,ntcaple] ( 298.00). Receipt number 22149974. Fee amount \$ 298.00. (U.S. Treasury) (Entered: 04/08/2016 at 12:56:33)
04/11/2016		<u>79</u>	Proof of Service <i>Amended Appeal</i> . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <u>77</u> Amendment). (Barraza, Vicente) (Entered: 04/11/2016 at 08:38:41)
04/11/2016		<u>80</u>	Proof of Service . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <u>78</u> Notice of Appeal and Statement of Election). (Barraza, Vicente) (Entered: 04/11/2016 at 08:39:19)

Below is the Order of the Court.



Christopher M. Alston  
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

9  
10 David A. Gebben, Attorney At Law  
11 1700 Seventh Avenue, Suite 2100  
Seattle, WA 98101  
12 Ph. (206) 357-8456  
Fax (206) 357-8401

THE HONORABLE CHRISTOPHER M. ALSTON  
Chapter 7  
Hearing Location: 700 Stewart Street, Room 7206  
Seattle, WA 98101  
HEARING DATE/TIME: MARCH 24, 2016, 1:30 P.M.  
Response Date: March 17, 2016

13  
14  
15 UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

16 In Re:

17 MARISOL SANCHEZ,

18 Debtor.

19 PEDRO ENRIQUE IRAHETA,

20 Plaintiff,

21 v.

22 MARISOL SANCHEZ, JP MORGAN CHASE  
BANK, N.A., EDMUND J. WOOD, TRUSTEE  
OF THE BANKRUPTCY ESTATE OF  
MARISOL SANCHEZ,

23 Defendants.

NO. 15-13118-CMA

ADV. NO. 15-01313-CMA

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

24 THIS MATTER having come on before this Court for hearing, on 3-24-16 at 1:30 p.m., upon  
25 *Trustee's Motion For Summary Judgment On Trustee's Claim To Avoid Plaintiff's Alleged Interest In*  
26 *Real Property* dated 2-17-16 (Docket No. 45), as filed by EDMUND J. WOOD, TRUSTEE ("trustee"), a

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

DAVID A. GEBBEN,  
ATTORNEY AT LAW  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: (206) 357-8456  
FACSIMILE: (206) 357-8401

Below is the Order of the Court.

cross-claimant in this adversary case, and upon *Pedro Iraheta's Amended Motion For Partial Summary Judgment Against Defendant Trustee Edmund J. Wood* dated 2-21-16 (Docket No. 54), as filed by PEDRO ENRIQUE IRAHETA ("plaintiff"), the plaintiff in this adversary case, and this Court having reviewed all of the records and files herein relevant to those motions, and this Court having heard the statements and arguments of all parties in appearance before this Court at the time of the hearing on those motions, and this Court having determined that there are no genuine issues of material fact present in this matter, and this Court having issued an oral ruling on those two motions, and other related claim(s), at the conclusion of the hearing that was held on those two motions, on 3-24-16 at 1:30 p.m., and good cause appearing to this Court for entry of the following order in this matter, now therefore it is

ORDERED that this Court's findings and conclusions in this matter, as stated in the record at the time of this Court's oral ruling in this matter, as issued on 3-24-16 at 1:30 p.m., are hereby incorporated into the terms of this Order by reference;

AND IT IS FURTHER ORDERED that *Trustee's Motion For Summary Judgment On Trustee's Claim To Avoid Plaintiff's Alleged Interest In Real Property* dated 2-17-16 (Docket No. 45) is hereby GRANTED by this Court;

AND IT IS FURTHER ORDERED and determined by this Court that the trustee, as a hypothetical bona fide purchaser of the debtor's interest in the real property located at: 20004 Wallingford Ave. N., Shoreline, WA 98133, a/k/a King County Tax Account No. 107810-0020-09 ("the Shoreline property"), at the time of the commencement of the debtor's Chapter 7 case, pursuant to 11 U.S.C. §544(a)(3), may avoid any interest that the plaintiff herein, PEDRO ENRIQUE IRAHETA ("Mr. Iraheta"), may have held in the Shoreline property at the time of the debtor's Chapter 7 filing, as a matter of law, and the Shoreline property is hereby determined by this Court to be an asset of the bankruptcy estate in the above-captioned Chapter 7 case;

AND IT IS FURTHER ORDERED that *Pedro Iraheta's Amended Motion For Partial Summary Judgment Against Defendant Trustee Edmund J. Wood* dated 2-21-16 (Docket No. 54) is hereby DENIED by this Court, and plaintiff's claim for reformation of the *Quit Claim Deed* which was recorded in King

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

DAVID A. GEBBEN,  
ATTORNEY AT LAW  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: (206) 357-8456  
FACSIMILE: (206) 357-8401

**Below is the Order of the Court.**

County on 9-21-09, under recording number 20090921000548, seeking to add the plaintiff as an owner of the Shoreline property, is hereby DENIED by this Court, and plaintiff's claim for a declaratory judgment determining that plaintiff is a co-owner of the real property located at: 20004 Wallingford Ave. N., Shoreline, WA 98133 is also hereby DENIED by this Court.

/// End of Order ///

Presented by:  
David A. Gebben, Attorney At Law

/S/ David A. Gebben  
By: David A. Gebben, WSBA #16290  
Attorney for trustee

Notice of Presentation Waived by:  
Barraza Law, PLLC

/S/ Vicente Omar Barraza, per email authorization  
By: Vicente Omar Barraza, WSBA #43589  
Attorney for plaintiff

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

-3-

**DAVID A. GEBBEN,  
ATTORNEY AT LAW**  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: (206) 357-8456  
FAX: (206) 357-8491

1 Barraza Law, PLLC  
2 14245-F Ambaum Blvd SW  
3 Burien, WA 98166  
4 206-933-7861 phone  
5 206-933-7863 fax

6  
7  
8  
9  
10 IN THE UNITED STATES BANKRUPTCY COURT  
11 WESTERN DISTRICT OF WASHINGTON AT SEATTLE

12 In Re:  
13  
14 MARISOL SANCHEZ,  
15  
16 Debtor.

17 PEDRO ENRIQUE IRAHETA,  
18 Plaintiff,  
19 v.  
20 MARISOL SANCHEZ; JP MORGAN  
21 CHASE BANK, N.A.; AND EDMUND J.  
22 WOOD, TRUSTEE OF THE  
23 BANKRUPTCY ESTATE OF MARISOL  
24 SANCHEZ,  
25  
26 Defendants.

1 NO. 15-13118-TWD  
2  
3 ADVERSARY NO: 15-01313-CMA

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
**NOTICE OF APPEAL AND  
STATEMENT OF ELECTION**

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s): PEDRO ENRIQUE IRAHETA
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding. For appeals in a bankruptcy case and not in an adversary proceeding

Plaintiff  
 Defendant  
 Other (describe)

Debtor  
 Creditor  
 Trustee  
 Other (describe)

NOTICE OF APPEAL AND STATEMENT OF ELECTION - 1

Barraza Law, PLLC  
14245-F Ambaum Blvd. SW  
Burien, WA 98166  
206-933-7861 phone  
206-933-7863 fax

1 **Part 2: Identify the subject of this appeal**

2     1.   Describe the judgment, order, or decree appealed from:  
3     2.   State the date on which the judgment, order, or decree was entered:

<u>Judgment, Order or Decree</u>	<u>Docket #</u>	<u>Date Entered</u>
Order of Summary Judgment in Favor of the Trustee	Docket # 73	March 24, 2016
Order Dismissing Claims Against JPMorgan Chase	Docket # 75	March 24, 2016

8 **Part 3: Identify the other parties to the appeal**

9           List the names of all parties to the judgment, order, or decree appealed from and the  
10          names, addresses, and telephone numbers of their attorneys (attach additional pages if  
11          necessary):

12 Pedro Enrique Iraheta, Plaintiff and Counter Defendant

13           Attorney: Vicente O Barraza  
14           Barraza Law PLLC  
15           14245F Ambaum Blvd SW  
16           Burien, WA 98166  
17           206-933-7861  
18           Fax : 206-933-7863  
19           Email: omar@barrazalaw.com

20 Marisol Sanchez, Defendant

21           Attorney: Christina L Henry  
22           Henry, DeGraaff & McCormick, PS  
23           1833 N 105th St, Ste 203  
24           Seattle, WA 98133  
25           206-330-0595  
26           Email: mainline@hdm-legal.com

27 JP Morgan Chase Bank NA, Defendant

28           Attorney: Hugh R. McCullough  
29           Davis Wright Tremaine LLP  
30           1201 3rd Ave Ste 2200  
31           Seattle, WA 98101-3045  
32           206-757-8189  
33           Email: hughmccullough@dwt.com

34 NOTICE OF APPEAL AND STATEMENT OF ELECTION - 2

35 **Barraza Law, PLLC**  
36 14245-F Ambaum Blvd. SW  
37 Burien, WA 98166  
38 206-933-7861 phone  
39 206-933-7863 fax

Anthony S Wisen  
Davis Wright Tremaine LLP  
1201 3rd Ave Ste 2200  
Seattle, WA 98101-3045  
206-757-8198  
Email: anthonywisen@dwt.com

Edmund J Wood, Trustee, Defendant and Cross-Plaintiff

Attorney: David A Gebben  
Attorney at Law  
1700 7th Ave Ste 2100  
Seattle, WA 98101  
206-357-8456  
Email: [david.gebben@gmail.com](mailto:david.gebben@gmail.com)

**Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)**

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

## Part 5: Sign below

DATED this April 8, 2016.

BARRAZA LAW, PLLC

By: /s/ Vicente Omar Barraza  
Vicente Omar Barraza, WSBA # 43589  
Attorney for Pedro E. Iraheta  
14245F Ambaum Blvd SW  
Burien, WA 98166  
206-933-7861  
Fax : 206-933-7863  
Email: omar@barrazalaw.com

NOTICE OF APPEAL AND STATEMENT OF ELECTION - 3

**Barraza Law, PLLC**  
14245-F Ambaum Blvd. SW  
Burien, WA 98166  
206-933-7861 phone  
206-933-7863 fax

Below is the Order of the Court.



Christopher M. Alston  
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

9  
10 David A. Gebben, Attorney At Law  
11 1700 Seventh Avenue, Suite 2100  
Seattle, WA 98101  
12 Ph. (206) 357-8456  
Fax (206) 357-8401

THE HONORABLE CHRISTOPHER M. ALSTON  
Chapter 7  
Hearing Location: 700 Stewart Street, Room 7206  
Seattle, WA 98101  
HEARING DATE/TIME: MARCH 24, 2016, 1:30 P.M.  
Response Date: March 17, 2016

13  
14  
15 UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

16 In Re:

17 MARISOL SANCHEZ,

18 Debtor.

19 PEDRO ENRIQUE IRAHETA,

20 Plaintiff,

21 v.

22 MARISOL SANCHEZ, JP MORGAN CHASE  
BANK, N.A., EDMUND J. WOOD, TRUSTEE  
OF THE BANKRUPTCY ESTATE OF  
MARISOL SANCHEZ,

23 Defendants.

NO. 15-13118-CMA

ADV. NO. 15-01313-CMA

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

24 THIS MATTER having come on before this Court for hearing, on 3-24-16 at 1:30 p.m., upon  
25 *Trustee's Motion For Summary Judgment On Trustee's Claim To Avoid Plaintiff's Alleged Interest In*  
26 *Real Property* dated 2-17-16 (Docket No. 45), as filed by EDMUND J. WOOD, TRUSTEE ("trustee"), a

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

DAVID A. GEBBEN,  
ATTORNEY AT LAW  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: (206) 357-8456  
FACSIMILE: (206) 357-8401

Below is the Order of the Court.

cross-claimant in this adversary case, and upon *Pedro Iraheta's Amended Motion For Partial Summary Judgment Against Defendant Trustee Edmund J. Wood* dated 2-21-16 (Docket No. 54), as filed by PEDRO ENRIQUE IRAHETA ("plaintiff"), the plaintiff in this adversary case, and this Court having reviewed all of the records and files herein relevant to those motions, and this Court having heard the statements and arguments of all parties in appearance before this Court at the time of the hearing on those motions, and this Court having determined that there are no genuine issues of material fact present in this matter, and this Court having issued an oral ruling on those two motions, and other related claim(s), at the conclusion of the hearing that was held on those two motions, on 3-24-16 at 1:30 p.m., and good cause appearing to this Court for entry of the following order in this matter, now therefore it is

ORDERED that this Court's findings and conclusions in this matter, as stated in the record at the time of this Court's oral ruling in this matter, as issued on 3-24-16 at 1:30 p.m., are hereby incorporated into the terms of this Order by reference;

AND IT IS FURTHER ORDERED that *Trustee's Motion For Summary Judgment On Trustee's Claim To Avoid Plaintiff's Alleged Interest In Real Property* dated 2-17-16 (Docket No. 45) is hereby GRANTED by this Court;

AND IT IS FURTHER ORDERED and determined by this Court that the trustee, as a hypothetical bona fide purchaser of the debtor's interest in the real property located at: 20004 Wallingford Ave. N., Shoreline, WA 98133, a/k/a King County Tax Account No. 107810-0020-09 ("the Shoreline property"), at the time of the commencement of the debtor's Chapter 7 case, pursuant to 11 U.S.C. §544(a)(3), may avoid any interest that the plaintiff herein, PEDRO ENRIQUE IRAHETA ("Mr. Iraheta"), may have held in the Shoreline property at the time of the debtor's Chapter 7 filing, as a matter of law, and the Shoreline property is hereby determined by this Court to be an asset of the bankruptcy estate in the above-captioned Chapter 7 case;

AND IT IS FURTHER ORDERED that *Pedro Iraheta's Amended Motion For Partial Summary Judgment Against Defendant Trustee Edmund J. Wood* dated 2-21-16 (Docket No. 54) is hereby DENIED by this Court, and plaintiff's claim for reformation of the *Quit Claim Deed* which was recorded in King

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

DAVID A. GEBBEN,  
ATTORNEY AT LAW  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: (206) 357-8456  
FACSIMILE: (206) 357-8401

**Below is the Order of the Court.**

County on 9-21-09, under recording number 20090921000548, seeking to add the plaintiff as an owner of the Shoreline property, is hereby DENIED by this Court, and plaintiff's claim for a declaratory judgment determining that plaintiff is a co-owner of the real property located at: 20004 Wallingford Ave. N., Shoreline, WA 98133 is also hereby DENIED by this Court.

/// End of Order ///

Presented by:  
David A. Gebben, Attorney At Law

/S/ David A. Gebben  
By: David A. Gebben, WSBA #16290  
Attorney for trustee

Notice of Presentation Waived by:  
Barraza Law, PLLC

/S/ Vicente Omar Barraza, per email authorization  
By: Vicente Omar Barraza, WSBA #43589  
Attorney for plaintiff

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

**DAVID A. GEBBEN,  
ATTORNEY AT LAW**  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: (206) 357-8456  
FACSIMILE: (206) 357-8401

**Below is the Order of the Court.**



A handwritten signature in black ink that reads "CM Alston".

**Christopher M. Alston  
U.S. Bankruptcy Judge**

(Dated as of Entered on Docket date above)

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON

11 In re

12 MARISOL SANCHEZ,

13 Debtor.

Case No. 15-13118-CMA

15 PEDRO ENRIQUE IRAHETA,

16 Plaintiff,

17 v.

18 MARISOL SANCHEZ, *et al.*,

19 Defendants.

Adv. No. 15-01313-CMA

20  
ORDER  
DISMISSING CLAIMS AGAINST  
JPMORGAN CHASE BANK, N.A.

21 This matter came before the Court on JPMorgan Chase Bank, N.A.'s Motion for

22 Judgment on the Pleadings. The Court has considered the motion, the pleadings and papers  
23 submitted in support of and in opposition to the motion, and the argument of counsel.

24 NOW, THEREFORE, it is hereby ORDERED that:

25 1. JPMorgan Chase Bank, N.A.'s Motion is GRANTED pursuant to Fed. R. Civ. P.  
26 56, as made applicable to this proceeding by Fed. R. Bankr. P. 7056, in accordance with the  
27

ORDER DISMISSING CLAIMS AGAINST  
JPMORGAN CHASE BANK, N.A. - 1  
(Case No. 15-01313)

Davis Wright Tremaine LLP  
LAW OFFICES  
1201 Third Avenue, Suite 2200  
Seattle, WA 98101-3045  
206.622.3150 main • 206.757.7700 fax

**Below is the Order of the Court.**

1 Court's oral ruling delivered at the hearing on March 24, 2016. The Court's oral ruling is  
2 incorporated by reference in this Order.

3           2.       All claims and causes of action asserted against JPMorgan Chase Bank, N.A. are  
4 hereby dismissed with prejudice.

// END OF ORDER //

7 | Presented by:

8 Davis Wright Tremaine LLP  
Attorneys for JPMorgan Chase Bank, N.A.

10 By /s/ Anthony S. Wisen  
11 Hugh McCullough, WSBA #41453  
Anthony S. Wisen, WSBA #39656

13  
Approved as to Form;  
Notice of Presentation Waived

15 Barraza Law, PLLC  
Attorney for Pedro Iraheta

17 By /s/ Vicente Omar Barraza  
18 Vicente Omar Barraza, WSBA #43589

ORDER DISMISSING CLAIMS AGAINST  
JPMORGAN CHASE BANK, N.A. - 2  
(Case No. 15-01313)

Davis Wright Tremaine LLP  
LAW OFFICES  
1201 Third Avenue, Suite 2200  
Seattle, WA 98101-2845

1 Barraza Law, PLLC  
2 14245-F Ambaum Blvd SW  
3 Burien, WA 98166  
4 206-933-7861 phone  
5 206-933-7863 fax

6  
7  
8  
9  
10 IN THE UNITED STATES BANKRUPTCY COURT  
11 WESTERN DISTRICT OF WASHINGTON AT SEATTLE

12 In Re:  
13  
14 MARISOL SANCHEZ,  
15  
16 Debtor.

17 PEDRO ENRIQUE IRAHETA,  
18 Plaintiff,  
19 v.  
20 MARISOL SANCHEZ; JP MORGAN  
21 CHASE BANK, N.A.; AND EDMUND J.  
22 WOOD, TRUSTEE OF THE  
23 BANKRUPTCY ESTATE OF MARISOL  
24 SANCHEZ,  
25  
26 Defendants.

1 NO. 15-13118-TWD  
2  
3 ADVERSARY NO: 15-01313-CMA

4  
5  
6  
7  
8  
9  
10  
11 **AMENDED**  
12 **NOTICE OF APPEAL AND**  
13 **STATEMENT OF ELECTION**

14  
15  
16  
17 **Part 1: Identify the appellant(s)**

18 1. Name(s) of appellant(s): PEDRO ENRIQUE IRAHETA  
19  
20 2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject  
of this appeal:

21 For appeals in an adversary proceeding. For appeals in a bankruptcy case and not in an  
22 adversary proceeding

23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503  
504  
505  
506  
507  
508  
509  
510  
511  
512  
513  
514  
515  
516  
517  
518  
519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
5510  
5511  
5512  
5513  
5514  
5515  
5516  
5517  
5518  
5519  
5520  
5521  
5522  
5523  
5524  
5525  
5526  
5527  
5528  
5529  
55210  
55211  
55212  
55213  
55214  
55215  
55216  
55217  
55218  
55219  
55220  
55221  
55222  
55223  
55224  
55225  
55226  
55227  
55228  
55229  
552210  
552211  
552212  
552213  
552214  
552215  
552216  
552217  
552218  
552219  
552220  
552221  
552222  
552223  
552224  
552225  
552226  
552227  
552228  
552229  
5522210  
5522211  
5522212  
5522213  
5522214  
5522215  
5522216  
5522217  
5522218  
5522219  
5522220  
5522221  
5522222  
5522223  
5522224  
5522225  
5522226  
5522227  
5522228  
5522229  
55222210  
55222211  
55222212  
55222213  
55222214  
55222215  
55222216  
55222217  
55222218  
55222219  
55222220  
55222221  
55222222  
55222223  
55222224  
55222225  
55222226  
55222227  
55222228  
55222229  
552222210  
552222211  
552222212  
552222213  
552222214  
552222215  
552222216  
552222217  
552222218  
552222219  
552222220  
552222221  
552222222  
552222223  
552222224  
552222225  
552222226  
552222227  
552222228  
552222229  
5522222210  
5522222211  
5522222212  
5522222213  
5522222214  
5522222215  
5522222216  
5522222217  
5522222218  
5522222219  
5522222220  
5522222221  
5522222222  
5522222223  
5522222224  
5522222225  
5522222226  
5522222227  
5522222228  
5522222229  
55222222210  
55222222211  
55222222212  
55222222213  
55222222214  
55222222215  
55222222216  
55222222217  
55222222218  
55222222219  
55222222220  
55222222221  
55222222222  
55222222223  
55222222224  
55222222225  
55222222226  
55222222227  
55222222228  
55222222229  
552222222210  
552222222211  
552222222212  
552222222213  
552222222214  
552222222215  
552222222216  
552222222217  
552222222218  
552222222219  
552222222220  
552222222221  
552222222222  
552222222223  
552222222224  
552222222225  
552222222226  
552222222227  
552222222228  
552222222229  
5522222222210  
5522222222211  
5522222222212  
5522222222213  
5522222222214  
5522222222215  
5522222222216  
5522222222217  
5522222222218  
5522222222219  
5522222222220  
5522222222221  
5522222222222  
5522222222223  
5522222222224  
5522222222225  
5522222222226  
5522222222227  
5522222222228  
5522222222229  
55222222222210  
55222222222211  
55222222222212  
55222222222213  
55222222222214  
55222222222215  
55222222222216  
55222222222217  
55222222222218  
55222222222219  
55222222222220  
55222222222221  
55222222222222  
55222222222223  
55222222222224  
55222222222225  
55222222222226  
55222222222227  
55222222222228  
55222222222229  
552222222222210  
552222222222211  
552222222222212  
552222222222213  
552222222222214  
552222222222215  
552222222222216  
552222222222217  
552222222222218  
552222222222219  
552222222222220  
552222222222221  
552222222222222  
552222222222223  
552222222222224  
552222222222225  
552222222222226  
552222222222227  
552222222222228  
552222222222229  
5522222222222210  
5522222222222211  
5522222222222212  
5522222222222213  
5522222222222214  
5522222222222215  
5522222222222216  
5522222222222217  
5522222222222218  
5522222222222219  
5522222222222220  
5522222222222221  
5522222222222222  
5522222222222223  
5522222222222224  
5522222222222225  
5522222222222226  
5522222222222227  
5522222222222228  
5522222222222229  
55222222222222210  
55222222222222211  
55222222222222212  
55222222222222213  
55222222222222214  
55222222222222215  
55222222222222216  
55222222222222217  
55222222222222218  
55222222222222219  
55222222222222220  
55222222222222221  
55222222222222222  
55222222222222223  
55222222222222224  
55222222222222225  
55222222222222226  
55222222222222227  
55222222222222228  
55222222222222229  
552222222222222210  
552222222222222211  
552222222222222212  
552222222222222213  
552222222222222214  
552222222222222215  
552222222222222216  
552222222222222217  
552222222222222218  
552222222222222219  
552222222222222220  
552222222222222221  
552222222222222222  
552222222222222223  
552222222222222224  
552222222222222225  
552222222222222226  
552222222222222227  
552222222222222228  
552222222222222229  
5522222222222222210  
5522222222222222211  
5522222222222222212  
5522222222222222213  
5522222222222222214  
5522222222222222215  
5522222222222222216  
5522222222222222217  
5522222222222222218  
5522222222222222219  
5522222222222222220  
5522222222222222221  
5522222222222222222  
5522222222222222223  
5522222222222222224  
5522222222222222225  
5522222222222222226  
5522222222222222227  
5522222222222222228  
5522222222222222229  
55222222222222222210  
55222222222222222211  
55222222222222222212  
55222222222222222213  
55222222222222222214  
55222222222222222215  
55222222222222222216  
55222222222222222217  
55222222222222222218  
55222222222222222219  
55222222222222222220  
55222222222222222221  
55222222222222222222  
55222222222222222223  
55222222222222222224  
55222222222222222225  
55222222222222222226  
55222222222222222227  
55222222222222222228  
55222222222222222229  
552222222222222222210  
552222222222222222211  
552222222222222222212  
552222222222222222213  
552222222222222222214  
552222222222222222215  
552222222222222222216  
552222222222222222217  
552222222222222222218  
552222222222222222219  
552222222222222222220  
552222222222222222221  
552222222222222222222  
552222222222222222223  
552222222222222222224  
552222222222222222225  
552222222222222222226  
552222222222222222227  
552222222222222222228  
552222222222222222229  
5522222222222222222210  
5522222222222222222211  
5522222222222222222212  
5522222222222222222213  
5522222222222222222214  
5522222222222222222215  
5522222222222222222216  
5522222222222222222217  
5522222222222222222218  
5522222222222222222219  
5522222222222222222220  
5522222222222222222221  
5522222222222222222222  
5522222222222222222223  
5522222222222222222224  
5522222222222222222225  
5522222222222222222226  
5522222222222222222227  
5522222222222222222228  
5522222222222222222229  
55222222222222222222210  
55222222222222222222211  
55222222222222222222212  
55222222222222222222213  
55222222222222222222214  
55222222222222222222215  
55222222222222222222216  
55222222222222222222217  
55222222222222222222218  
55222222222222222222219  
55222222222222222222220  
55222222222222222222221  
55222222222222222222222  
55222222222222222222223  
55222222222222222222224  
55222222222222222222225  
55222222222222222222226  
55222222222222222222227  
55222222222222222222228  
55222222222222222222229  
552222222222222222222210  
552222222222222222222211  
552222222222222222222212  
552222222222222222222213  
552222222222222222222214  
552222222222222222222215  
552222222222222222222216  
552222222222222222222217  
552222222222222222222218  
552222222222222222222219  
552222222222222222222220  
552222222222222222222221  
552222222222222222222222  
552222222222222222222223  
552222222222222222222224  
552222222222222222222225  
552222222222222222222226  
552222222222222222222227  
552222222222222222222228  
552222222222222222222229  
5522222222222222222222210  
5522222222222222222222211  
5522222222222222222222212  
5522222222222222222222213  
5522222222222222222222214  
5522222222222222222222215  
5522222222222222222222216  
5522222222222222222222217  
5522222222222222222222218  
5522222222222222222222219  
5522222222222222222222220  
5522222222222222222222221  
5522222222222222222222222  
5522222222222222222222223  
5522222222222222222222224  
5522222222222222222222225  
5522222222222222222222226  
5522222222222222222222227  
5522222222222222222222228  
5522222222222222222222229  
55222222222222222222222210  
55222222222222222222222211  
55222222222222222222222212  
55222222222222222222222213  
55222222222222222222222214  
55222222222222222222222215  
55222222222222222222222216  
55222222222222222222222217  
55222222222222222222222218  
55222222222222222222222219  
55222222222222222222222220  
55222222222222222222222221  
55222222222222222222222222  
55222222222222222222222223  
55222222222222222222222224  
55222222222222222222222225  
55222222222222222222222226  
55222222222222222222222227  
55222222222222222222222228  
55222222222222222222222229  
552222222222222222222222210  
552222222222222222222222211  
552222222222222222222222212  
552222222222222222222222213  
552222222222222222222222214  
552222222222222222222222215  
5

1

**Part 2: Identify the subject of this appeal**

2

3

1. Describe the judgment, order, or decree appealed from:  
2. State the date on which the judgment, order, or decree was entered:

4

<u>Judgment, Order or Decree</u>	<u>Docket #</u>	<u>Date Entered</u>
Order of Summary Judgment in Favor of the Trustee	Docket # 73	March 24, 2016

5

7

**Part 3: Identify the other parties to the appeal**

8

9 List the names of all parties to the judgment, order, or decree appealed from and the  
10 names, addresses, and telephone numbers of their attorneys (attach additional pages if  
necessary):

11 Pedro Enrique Iraheta, Plaintiff and Counter Defendant

12 Attorney: Vicente O Barraza  
13 Barraza Law PLLC  
14 14245F Ambaum Blvd SW  
15 Burien, WA 98166  
16 206-933-7861  
17 Fax : 206-933-7863  
18 Email: omar@barrazalaw.com

19 Marisol Sanchez, Defendant

20 Attorney: Christina L Henry  
21 Henry, DeGraaff & McCormick, PS  
22 1833 N 105th St, Ste 203  
23 Seattle, WA 98133  
24 206-330-0595  
25 Email: mainline@hdm-legal.com

26 Edmund J Wood, Trustee, Defendant and Cross-Claimant

27 Attorney: David A Gebben  
28 Attorney at Law  
29 1700 7th Ave Ste 2100  
30 Seattle, WA 98101  
31 206-357-8456  
32 Email: david.gebben@gmail.com

33 AMENDED

34 NOTICE OF APPEAL AND STATEMENT OF ELECTION - 2

35 **Barraza Law, PLLC**  
36 14245-F Ambaum Blvd. SW  
37 Burien, WA 98166  
38 206-933-7861 phone  
39 206-933-7863 fax

1 **Part 4: Optional election to have appeal heard by District Court (applicable only in certain**  
2 **districts)**

3 If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy  
4 Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to  
5 have the appeal heard by the United States District Court. If an appellant filing this notice wishes  
6 to have the appeal heard by the United States District Court, check below. Do not check the box  
7 if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

8  Appellant(s) elect to have the appeal heard by the United States District Court  
9 rather than by the Bankruptcy Appellate Panel.

10 **Part 5: Sign below**

11 DATED this April 8, 2016.

12 BARRAZA LAW, PLLC

13 By: /s/ Vicente Omar Barraza  
14 Vicente Omar Barraza, WSBA # 43589  
15 Attorney for Pedro E. Iraheta  
16 14245F Ambaum Blvd SW  
17 Burien, WA 98166  
18 206-933-7861  
19 Fax : 206-933-7863  
20 Email: omar@barrazalaw.com

21 AMENDED  
22 NOTICE OF APPEAL AND STATEMENT OF ELECTION - 3

23 **Barraza Law, PLLC**  
24 14245-F Ambaum Blvd. SW  
25 Burien, WA 98166  
26 206-933-7861 phone  
27 206-933-7863 fax

Below is the Order of the Court.



Christopher M. Alston  
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

9  
10 David A. Gebben, Attorney At Law  
11 1700 Seventh Avenue, Suite 2100  
Seattle, WA 98101  
12 Ph. (206) 357-8456  
Fax (206) 357-8401

THE HONORABLE CHRISTOPHER M. ALSTON  
Chapter 7  
Hearing Location: 700 Stewart Street, Room 7206  
Seattle, WA 98101  
HEARING DATE/TIME: MARCH 24, 2016, 1:30 P.M.  
Response Date: March 17, 2016

13  
14  
15 UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

16 In Re:

17 MARISOL SANCHEZ,

18 Debtor.

19 PEDRO ENRIQUE IRAHETA,

20 Plaintiff,

21 v.

22 MARISOL SANCHEZ, JP MORGAN CHASE  
BANK, N.A., EDMUND J. WOOD, TRUSTEE  
OF THE BANKRUPTCY ESTATE OF  
MARISOL SANCHEZ,

23 Defendants.

NO. 15-13118-CMA

ADV. NO. 15-01313-CMA

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

24 THIS MATTER having come on before this Court for hearing, on 3-24-16 at 1:30 p.m., upon  
25 *Trustee's Motion For Summary Judgment On Trustee's Claim To Avoid Plaintiff's Alleged Interest In*  
26 *Real Property* dated 2-17-16 (Docket No. 45), as filed by EDMUND J. WOOD, TRUSTEE ("trustee"), a

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

DAVID A. GEBBEN,  
ATTORNEY AT LAW  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: (206) 357-8456  
FACSIMILE: (206) 357-8401

Below is the Order of the Court.

cross-claimant in this adversary case, and upon *Pedro Iraheta's Amended Motion For Partial Summary Judgment Against Defendant Trustee Edmund J. Wood* dated 2-21-16 (Docket No. 54), as filed by PEDRO ENRIQUE IRAHETA ("plaintiff"), the plaintiff in this adversary case, and this Court having reviewed all of the records and files herein relevant to those motions, and this Court having heard the statements and arguments of all parties in appearance before this Court at the time of the hearing on those motions, and this Court having determined that there are no genuine issues of material fact present in this matter, and this Court having issued an oral ruling on those two motions, and other related claim(s), at the conclusion of the hearing that was held on those two motions, on 3-24-16 at 1:30 p.m., and good cause appearing to this Court for entry of the following order in this matter, now therefore it is

ORDERED that this Court's findings and conclusions in this matter, as stated in the record at the time of this Court's oral ruling in this matter, as issued on 3-24-16 at 1:30 p.m., are hereby incorporated into the terms of this Order by reference;

AND IT IS FURTHER ORDERED that *Trustee's Motion For Summary Judgment On Trustee's Claim To Avoid Plaintiff's Alleged Interest In Real Property* dated 2-17-16 (Docket No. 45) is hereby GRANTED by this Court;

AND IT IS FURTHER ORDERED and determined by this Court that the trustee, as a hypothetical bona fide purchaser of the debtor's interest in the real property located at: 20004 Wallingford Ave. N., Shoreline, WA 98133, a/k/a King County Tax Account No. 107810-0020-09 ("the Shoreline property"), at the time of the commencement of the debtor's Chapter 7 case, pursuant to 11 U.S.C. §544(a)(3), may avoid any interest that the plaintiff herein, PEDRO ENRIQUE IRAHETA ("Mr. Iraheta"), may have held in the Shoreline property at the time of the debtor's Chapter 7 filing, as a matter of law, and the Shoreline property is hereby determined by this Court to be an asset of the bankruptcy estate in the above-captioned Chapter 7 case;

AND IT IS FURTHER ORDERED that *Pedro Iraheta's Amended Motion For Partial Summary Judgment Against Defendant Trustee Edmund J. Wood* dated 2-21-16 (Docket No. 54) is hereby DENIED by this Court, and plaintiff's claim for reformation of the *Quit Claim Deed* which was recorded in King

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

DAVID A. GEBBEN,  
ATTORNEY AT LAW  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: (206) 357-8456  
FACSIMILE: (206) 357-8401

**Below is the Order of the Court.**

County on 9-21-09, under recording number 20090921000548, seeking to add the plaintiff as an owner of the Shoreline property, is hereby DENIED by this Court, and plaintiff's claim for a declaratory judgment determining that plaintiff is a co-owner of the real property located at: 20004 Wallingford Ave. N., Shoreline, WA 98133 is also hereby DENIED by this Court.

/// End of Order ///

Presented by:  
David A. Gebben, Attorney At Law

/S/ David A. Gebben  
By: David A. Gebben, WSBA #16290  
Attorney for trustee

Notice of Presentation Waived by:  
Barraza Law, PLLC

/S/ Vicente Omar Barraza, per email authorization  
By: Vicente Omar Barraza, WSBA #43589  
Attorney for plaintiff

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

DAVID A. GEBBEN,  
ATTORNEY AT LAW  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: (206) 357-8456  
FACSIMILE: (206) 357-8401